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14 Attorneys for Plaintiffs GIL CROSTHWAITE and  
15 RUSS BURNS

16 UNITED STATES DISTRICT COURT  
17 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
18 (OAKLAND DIVISION)

19 GIL CROSTHWAITE and RUSS BURNS, in  
20 their respective capacities as Trustees of the  
21 OPERATING ENGINEERS HEALTH AND  
22 WELFARE TRUST FUND FOR NORTHERN  
23 CALIFORNIA; PENSION TRUST FUND FOR  
24 OPERATING ENGINEERS; PENSIONED  
OPERATING ENGINEERS HEALTH AND  
WELFARE FUND; OPERATING ENGINEERS  
ANNUITY TRUST FUND; OPERATING  
ENGINEERS AND PARTICIPATING  
EMPLOYERS PRE-APPRENTICESHIP;  
APPRENTICE AND JOURNEYMAN  
AFFIRMATIVE ACTION TRAINING FUND;  
OPERATING ENGINEERS VACATION AND  
HOLIDAY PLAN; CONTRACT  
ADMINISTRATION FUND; OPERATING  
ENGINEERS MARKET PRESERVATION  
FUND; OPERATING ENGINEERS  
INDUSTRY STABILIZATION TRUST FUND;  
BUSINESS DEVELOPMENT TRUST FUND;  
and HEAVY AND HIGHWAY COMMITTEE,

25 Plaintiffs,  
v.

26 CANYON SPRINGS ENTERPRISES DBA  
27 RSH CONSTRUCTION SERVICES; and  
28 ROBERT STANLEY HAMILTON,

Defendants.

Case No. C 06-4451 SBA

**STIPULATION CONTINUING DATE OF  
MEDIATION; [PROPOSED] ORDER  
THEREON**

Action E-Filed: December 12, 2006

1 Plaintiffs and Defendants hereby stipulate and agree that the Court ordered mediation  
 2 relating to the above-referenced matter will be continued until some date before August 30, 2007,  
 3 mutually agreeable to the parties and to the mediator, at a location to be determined. This is the  
 4 second extension to which parties have stipulated and the date is beyond the ninety day deadline  
 5 stated in the Court's scheduling order. However, the parties believe that delaying the mediation until  
 6 the above-stated date is in the best interest of all parties and will promote judicial economy.

7 On June 19, 2007, counsel for each party discussed the matter by telephone. On or about  
 8 June 2007, prior counsel for Plaintiffs, Ms. Mainguy, took an extended medical leave of absence,  
 9 about which Defendants have just been informed. Ms. Mainguy referred the case to Plaintiffs' new  
 10 counsel, Michele Stafford at Saltzman & Johnson, who has substituted in on June 15, 2007.  
 11 Additionally, Defendant Hamilton had inadvertently mis-scheduled upcoming travel and will be  
 12 unavailable on the date of the currently scheduled mediation. At the conclusion of the phone call,  
 13 parties agreed that the best interests of all would be served by continuing the mediation a few weeks  
 14 from its currently scheduled date.

15 **RESPECTFULLY SUBMITTED.**

16 Dated: June 20, 2007 COOK, BROWN LLP

17 By: \_\_\_\_\_ /S/  
 18 ROBERT L. BOUCHER  
 19 Attorney for Defendant CANYON SPRINGS  
 20 ENTERPRISES d/b/a RSH CONSTRUCTION  
 21 SERVICES

22 Dated: June 20, 2007 SALTZMAN & JOHNSON

23 By: \_\_\_\_\_ /S/  
 24 MICHELE R. STAFFORD  
 25 Attorney for Plaintiffs GIL CROSTHWAITE and  
 26 RUSS BURNS

27 I HEREBY ATTEST THAT I HAVE ON FILE ALL HOLOGRAPH SIGNATURES FOR  
 28 ANY SIGNATURES INDICATED BY A "CONFORMED" SIGNATURE (/S/) WITHIN THIS  
 EFILED DOCUMENT.

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STIPULATION REGARDING DATE OF MEDIATION; [PROPOSED] ORDER THEREON

## ORDER

Based upon the above-stated stipulation, the parties are ordered to appear at the mediation relating to the above-referenced matter at a date mutually agreeable to the parties and the mediator but before August 30, 2007 a location to be determined.

Dated: 6/22/07

Saundra B. Armstrong  
SAUN德拉 BROWN ARMSTRONG  
HON. UNITED STATES DISTRICT COURT JUDGE